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10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT
12
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 PABLO RAUL LUGO LARROIG,
aka "Walter Loza," and
JESON NELON PRESILLA FLORES,

18 Defendants.
19

No. 5:25-CR-00198-KK-3, 6

PROTECTIVE ORDER REGARDING
DISCOVERY CONTAINING PERSONAL
IDENTIFYING INFORMATION, PRIVACY
ACT INFORMATION, AND COOPERATING
WITNESS INFORMATION

20 The Court has read and considered the parties' Stipulation for
21 a Protective Order Regarding Discovery Containing Personal
22 Identifying Information, Privacy Act Information, and Cooperating
23 Witness Information, filed by the government and defendants PABLO
24 RAUL LUGO LARROIG, also known as "Walter Loza," and JESON NELON
25 PRESILLA FLORES ("defendants") in this matter on June 24, 2025,
26 which this Court incorporates by reference into this order, and FOR
27 GOOD CAUSE SHOWN the Court hereby FINDS AND ORDERS as follows:

28 1. The government's discovery in this case relates to

1 defendants' alleged crimes, that is, violations of 18 U.S.C. § 371:
2 Conspiracy; 18 U.S.C. § 1951(a): Conspiracy to Interfere with
3 Commerce by Robbery and Interference with Commerce by Robbery; and
4 18 U.S.C. § 659: Theft from Interstate or Foreign Shipment.

5 2. A protective order for the discovery is necessary so that
6 the government can produce to the defense materials regarding
7 cooperating witnesses who may testify at trial. Because these
8 materials could be used to identify the cooperating witnesses, the
9 Court finds that the unauthorized dissemination or distribution of
10 the materials may expose him/her to potential safety risks.

11 3. A protective order for the discovery is also necessary so
12 that the government can produce to the defense materials containing
13 third parties' PII. The Court finds that disclosure of this
14 information without limitation risks the privacy and security of the
15 information's legitimate owners. Because the government has an
16 ongoing obligation to protect third parties' PII, the government
17 cannot produce to defendants an unredacted set of discovery
18 containing this information without this Court entering the
19 Protective Order. Moreover, PII makes up a significant part of the
20 discovery in this case and such information itself, in many
21 instances, has evidentiary value. If the government were to attempt
22 to redact all this information in strict compliance with Federal
23 Rule of Criminal Procedure 49.1, the Central District of
24 California's Local Rules regarding redaction, and the Privacy Policy
25 of the United States Judicial Conference, the defense would receive
26 a set of discovery that would be highly confusing and difficult to
27 understand, and it would be challenging for defense counsel to
28

1 adequately evaluate the case, provide advice to defendants, or
2 prepare for trial.

3 4. An order is also necessary because the government intends
4 to produce to the defense materials that may contain information
5 within the scope of the Privacy Act, 5 U.S.C. § 552a ("Privacy Act
6 Information"). The Court finds that, to the extent that these
7 materials contain Privacy Act information, disclosure is authorized
8 pursuant to 5 U.S.C. § 552a(b)(11).

9 5. The purpose of this Protective Order is therefore to
10 (a) allow the government to comply with its discovery obligations
11 while protecting this sensitive information from unauthorized
12 dissemination, and (b) provide the defense with sufficient
13 information to adequately represent defendants.

14 6. Accordingly, the discovery that the government will
15 provide to defense counsel in the above-captioned case will be
16 subject to this Protective Order, as follows:

17 a. As used herein, "CW Materials" includes any
18 information relating to a cooperating witness's prior history of
19 cooperation with law enforcement, prior criminal history,
20 statements, or any other information that could be used to identify
21 a cooperating witness, such as a name, image, address, date of
22 birth, or unique personal identification number, such as a Social
23 Security number, driver's license number, account number, or
24 telephone number.

25 b. As used herein, "PII Materials" includes any
26 information that can be used to identify a person, including a name,
27 address, date of birth, Social Security number, driver's license
28

1 number, telephone number, account number, email address, or personal
2 identification number.

3 c. "Confidential Information" refers to any document or
4 information containing CW Materials or PII Materials that the
5 government produces to the defense pursuant to this Protective Order
6 and any copies thereof.

7 d. "Defense Team" includes (1) each defendant's counsel
8 of record ("defense counsel"); (2) other attorneys at defense
9 counsel's law firm who may be consulted regarding case strategy in
10 this case; (3) defense investigators who are assisting defense
11 counsel with this case; (4) retained experts or potential experts;
12 and (5) paralegals, legal assistants, and other support staff to
13 defense counsel who are providing assistance on this case. The
14 Defense Team does not include defendants, defendants' family
15 members, or any other associates of defendants.

16 e. The government is authorized to provide defense
17 counsel with Confidential Information marked with the following
18 legend: "CONFIDENTIAL INFORMATION -- CONTENTS SUBJECT TO PROTECTIVE
19 ORDER." The government may put that legend on the digital medium
20 (such as DVD or hard drive) or simply label a digital folder on the
21 digital medium to cover the content of that digital folder. The
22 government may also redact any PII contained in the production of
23 Confidential Information.

24 f. If any defendant objects to a designation that
25 material contains Confidential Information, the parties shall meet
26 and confer. If the parties cannot reach an agreement regarding
27 defendant's objection, defendant may apply to this Court to have the
28 designation removed.

1 g. Each defendant and the Defense Team shall use the
2 Confidential Information solely to prepare for any pretrial motions,
3 plea negotiations, trial, and sentencing hearing in this case, as
4 well as any appellate and post-conviction proceedings.

5 h. The Defense Team shall not permit anyone other than
6 the Defense Team to have possession of Confidential Information,
7 including defendants, while outside the presence of the Defense
8 Team.

9 i. Each defendant may review PII Materials or CW
10 Materials only in the presence of a member of the Defense Team, who
11 shall ensure that defendant is never left alone with any PII
12 Materials or CW Materials. At the conclusion of any meeting with
13 defendant at which defendant is permitted to view PII Materials or
14 CW Materials, defendant must return any PII Materials or CW
15 Materials to the Defense Team, and the member of the Defense Team
16 present shall take all such materials with him or her. Defendant
17 may not take any PII Materials or CW Materials out of the room in
18 which defendant is meeting with the Defense Team. At no time, under
19 no circumstance, will any Confidential Information be left in the
20 possession, custody, or control of defendant, regardless of
21 defendant's custody status.

22 j. Each defendant may see and review Confidential
23 Information as permitted by this Protective Order, but defendant may
24 not copy, keep, maintain, or otherwise possess any Confidential
25 Information in this case at any time. Defendant also may not write
26 down or memorialize any data or information contained in the
27 Confidential Information.
28

1 k. The Defense Team may review Confidential Information
2 with a witness or potential witness in this case, including
3 defendants. A member of the Defense Team must be present if PII
4 Materials or CW Materials are being shown to a witness or potential
5 witness. Before being shown any portion of Confidential
6 Information, however, any witness or potential witness must be
7 informed of the requirements of the Protective Order. No member of
8 the Defense Team shall permit a witness or potential witness to
9 retain Confidential Information or any notes generated from
10 Confidential Information.

11 l. The Defense Team shall maintain Confidential
12 Information safely and securely, and shall exercise reasonable care
13 in ensuring the confidentiality of those materials by (1) not
14 permitting anyone other than members of the Defense Team,
15 defendants, witnesses, and potential witnesses, as restricted above,
16 to see Confidential Information; (2) not divulging to anyone other
17 than members of the Defense Team, defendants, witnesses, and
18 potential witnesses, the contents of Confidential Information; and
19 (3) not permitting Confidential Information to be outside the
20 Defense Team's offices, homes, vehicles, or personal presence. CW
21 Materials shall not be left unattended in any vehicle.

22 m. To the extent that any defendant, the Defense Team,
23 witnesses, or potential witnesses create notes that contain, in
24 whole or in part, Confidential Information, or to the extent that
25 copies are made for authorized use by members of the Defense Team,
26 such notes, copies, or reproductions become Confidential Information
27 subject to the Protective Order and must be handled in accordance
28 with the terms of the Protective Order.

1 n. The Defense Team shall use Confidential Information
2 only for the litigation of this matter and for no other purpose.
3 Litigation of this matter includes any appeal filed by any defendant
4 and any motion filed by any defendant pursuant to 28 U.S.C. § 2255.
5 In the event that a party needs to file Confidential Information
6 with the Court or divulge the contents of Confidential Information
7 in court filings, the filing should be made under seal. If the
8 Court rejects the request to file such information under seal, the
9 party seeking to file such information publicly shall provide
10 advance written notice to the other party to afford such party an
11 opportunity to object or otherwise respond to such intention. If
12 the other party does not object to the proposed filing, the party
13 seeking to file such information shall redact any CW Materials or
14 PII Materials and make all reasonable attempts to limit the
15 divulging of CW Materials or PII Materials.

16 o. Any Confidential Information inadvertently produced
17 in the course of discovery prior to entry of the Protective Order
18 shall be subject to the terms of this Protective Order. If
19 Confidential Information was inadvertently produced prior to entry
20 of the Protective Order without being marked "CONFIDENTIAL
21 INFORMATION -- CONTENTS SUBJECT TO PROTECTIVE ORDER," the government
22 shall reproduce the material with the correct designation and notify
23 defense counsel of the error. The Defense Team shall take immediate
24 steps to destroy the unmarked material, including any copies.

25 p. If any Confidential Information contains both CW
26 Materials and another category of Confidential Information, the
27 information shall be handled in accordance with the CW Materials
28 provisions of this Protective Order.

1 q. Confidential Information shall not be used by any
2 member of the defense team, in any way, in any other matter, absent
3 an order by this Court. All materials designated subject to the
4 Protective Order maintained in the Defense Team's files shall remain
5 subject to the Protective Order unless and until such order is
6 modified by this Court. Within 30 days of the conclusion of
7 appellate and post-conviction proceedings, defense counsel shall
8 return all PII Materials or CW Materials, certify that such
9 materials have been destroyed, or certify that such materials are
10 being kept pursuant to the California Business and Professions Code
11 and the California Rules of Professional Conduct.

12 r. In the event that there is a substitution of counsel
13 prior to when such documents must be returned, new defense counsel
14 must be informed of the requirements of the Protective Order before
15 defense counsel transfers any Confidential Information to the new
16 defense counsel. New defense counsel's written agreement to be
17 bound by the terms of the Protective Order must be returned to the
18 Assistant U.S. Attorney assigned to the case. New defense counsel
19 then will become the Defense Team's custodian of materials
20 designated subject to the Protective Order and shall then become
21 responsible, upon the conclusion of appellate and post-conviction
22 proceedings, for (1) returning to the government, certifying the
23 destruction of, or retaining pursuant to the California Business and
24 Professions Code and the California Rules of Professional Conduct
25 all PII Materials; and (2) returning to the government or certifying
26 the destruction of all CW Materials.

27 s. Defense counsel shall advise each defendant and all
28 members of the Defense Team of their obligations under the

1 Protective Order and ensure their agreement to follow the Protective
2 Order, prior to providing defendant and members of the Defense Team
3 with access to any materials subject to the Protective Order.

4 IT IS SO ORDERED.

5 June 26, 2025

6 DATE



HONORABLE KENLY KIYA KATO
UNITED STATES DISTRICT JUDGE

7
8 Presented by:

9
10 /s/

KEVIN J. BUTLER

JENA A. MACCABE

Assistant United States Attorneys